

February 12, 2010

United States Bankruptcy Court  
Eastern District Of New York  
760 Federal Plaza  
Central Islip, NY 11722-4437  
Attn: Hon. Dorothy Eisenberg

2010 FEB 16 AM 11:06

Re: Sonix Medical Resources  
Case #: 09-77781

Dear Hon. Dorothy Eisenberg,

I am writing to you regarding the above case with Sonix Medical Resources. I am an employee of Sonix Medical Resources of ten years. I work at New Jersey Diagnostic Imaging Site in Brick, New Jersey.

Our employer has taken monies out of our bi-weekly paychecks for our 401K and has yet to put the monies into our Fidelity Accounts. I am out \$3,200.00 starting back from 2007 to date, not including the money I would have made if it were invested.

Sonix also has been taking monies out of our paychecks for our additional Accidental Death & Dismemberment for which they are not paying the premiums on time and almost defaulted causing cancellation of premium last month. I just called today February 15, 2010 and was advised they paid up thru Dec 2009, but Jan, Feb & now March is due again.

Sonix filed Chapter 11<sup>th</sup> on October 15, 2009 and has since recently bounced January 15<sup>th</sup> paychecks, then reissued these bounced checks, which some bounced as well. My last paycheck on 1/29/2010 did not clear my bank without a hassle of a clearing issue. See attached letter from TD Bank. I did not have my funds available to me until 2/3/2010, which is (5) days from payday. It's very scary that while under the US Trustee, that Sonix can continue their improper ways of running a business.

I have attached letters containing information of events for your reading. I have also attached letters I have submitted to proper authorities prior to Chapter 11, including the DOL who has a case open regarding the 401K.



I just had surgery 1/28/2010 and had to take a substantial loan for my surgery. While recovering, I then had to deal with the stress of my last paycheck not clearing properly and unable to pay my bills on time. At the same time Mr. Soni is driving around in a \$100,000.00 car he purchased prior to filing, while employees here are struggling to put food on their tables, pay their mortgage and rent on time.

I appreciate you taking the time out of your busy schedule to read this letter. We are hard working employees and remain at our jobs regardless of the improper handling of business let alone the unlawful acts committed by Sonix. We are professionals and have obligations to continue to work on behalf of our patients.

Thank you.

Sincerely,

*Veronica Karaska*

Veronica Karaska  
1425 11<sup>th</sup> Ave  
Toms River, NJ 08757  
732 505 9792



Nov 2009. Original email to Mr Rosen.

Dear Mr. Rosen,

Thank you for taking the time to speak with me this morning regarding our 401K issues. Below is the sequence of events on how this unfolded.

Back in July 2009 two employees came to me with letters of default on their 401K loans. I instructed employees at that time to start looking at their Fidelity Statements. If they were in default of paying back the loans, they more than likely were not making the contributions to our 401K Plan.

When two employees in management confronted both Om Soni (CEO) and Jack Colbert (CFO). They advised both Chris and Georgia this was done intentionally, and that they would be making (3) deposits of (5) weeks into our fidelity accounts to get them caught up within the next three pay periods. To this date they only made good on (1) deposit of (5) weeks and since has only made (2) contributions of (1) week only. Sonix matches up to 50% of our contributions, which obviously has not been made either.

The employees who borrowed from their 401K just received a delinquent letter on 11/18/2009 on their loans again. The money is still taken out of their bi-weekly paychecks and still is not applied to their loans. One employee was still making bi-weekly contributions; in addition to her loan payment up until 11/20.2009 and again, Sonix is not allocating the money to the 401K plans and or Loan payment.

In addition to the above situation, some employees pay bi-weekly for Additional Life & Additional Accidental Death & Dismemberment for their husband, children and themselves. This too has been taken out of our paychecks bi-weekly, and again Sonix has not paid the premium on these policies for the month of Oct, Nov, Dec, and now January is due. This soon will term for non-payment of premium. We cannot afford to loose our Additional Life Ins and Accidental Death & Dismemberment.

December 16<sup>th</sup> 2009, I called UNUM Provident additional life INS spoke with Lori who advised the policy was paid up until August 1st, 2009. It has been in collections since 11/3/2009. They notified Valerie Bhikoo at Sonix on 12/15/2009 if they do not receive payment in (5) days, the policy would term effective 11/1/2009.

2009 DEC 16 A 11:06



Sonix Medical Resources own and operate approximately (17) facilities including the home office at 150 Hauppauge NY.

There is approximately 100K due to New Jersey Diagnostic Employees, and approximate 300K or more Company wide.

We never received any explanation or notice regarding this situation. The only letter we received regarding this was from Jack Colbert dated 10/01/2009. Effective 11/6/2009 the Company will no longer be able to match employee contributions. This will not affect employee and employer matching contributions prior to the Nov 6, 2009 pay-date. All of those contributions are in the process of being made and will be fully funded.

I have a case open with the Federal DOL case #30-103085 (53). Investigator is Julie Fischer.

If you need further information, please contact me at 848-992-2395 cell or via email karaska3@comcast.net

Thank you again for your time and assistance with this matter. May you and your family have a wonderful Thanksgiving.

Sincerely,

Veronica Karaska



# Bank

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Monday, February 01, 2010

## NOTICE OF HOLD / DELAYED AVAILABILITY

ACCOUNT NUMBER: [REDACTED]

DATE OF DEPOSIT: 1/29/2010

AMOUNT OF ITEM: \$2,037.98

CHECK NUMBER: 67154

We are delaying the availability of the funds deposited as described above. The funds will be available no later than the 6th business day after the day of your deposit unless otherwise noted. [REDACTED]  
[REDACTED]

If you did not receive this notice at the time you made the deposit and the check you deposited is paid, we will refund to you any fees for overdrafts or returned checks that result solely from the additional delay that we are imposing. To obtain a refund of the fees described within this letter, kindly bring your notice of charge to a customer service representative at your local TD Bank Store.

Please contact your local TD Bank Store or contact us at 1 888 751-9000 for further instructions to resolve this matter. We're available 24/7 to assist you.

Prepared By: Carlos S

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*State of New Jersey*  
OFFICE OF THE ATTORNEY GENERAL  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CRIMINAL JUSTICE  
PO Box 085  
TRENTON, NJ 08625-0085  
TELEPHONE: (609) 984-6500

JON S. CORZINE  
*Governor*

ANNE MILGRAM  
*Attorney General*

DEBORAH L. GRAMICCIIONI  
*Director*

August 14, 2009

Veronica Lee Karaska  
1425 11th Avenue  
Toms River, New Jersey 08757

Re: #200905041

Dear Ms. Karaska:

This letter will acknowledge receipt of your correspondence to Attorney General Anne Milgram.

After being reviewed by the Division of Criminal Justice, it was determined that the Office of the Attorney General, 120 Broadway, New York, NY 10271-0332 would be the appropriate agency to receive your correspondence. Accordingly, we have forwarded it to that agency.

Thank you for contacting the Attorney General and the Division of Criminal Justice.

Very truly yours,

Robert E. McGrath,  
Sergeant of Investigations  
Records and Identification

/a



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**CHRISTOPHER H. SMITH**  
4TH DISTRICT, NEW JERSEY

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(732) 350-2300

2373 Rayburn House Office Building  
Washington, DC 20515-3004  
(202) 225-3765

<http://chrissmith.house.gov>



**Congress of the United States**  
**House of Representatives**

August 21, 2009

Mrs. Veronica Karaska  
1425 11th Avenue  
Toms River, New Jersey 08757-2042

Dear Mrs. Karaska:

This will acknowledge and thank you for your email concerning the difficulty you are having with your employer diverting payroll deductions for 401k contributions and not properly crediting your plan.

I would be happy to look into this matter immediately, however, due to provisions of the Privacy Act of 1974, agencies are prohibited from releasing any information regarding an individual without that individual's written consent. These provisions protect a person's right to privacy, but it also means that I can do nothing until I have something in writing to show the proper officials that I am authorized to check into this matter.

Enclosed you will find an authorization form which can be used for this purpose. Please fill it out, sign it, and return it to me. Promptly, upon its receipt, I will follow up on the matter. Please reply to my Mercer/Burlington Constituent Service Center, 1540 Kuser Road, Suite A9, Hamilton, New Jersey 08619.

Please be assured that I will assist you in any way I can and I look forward to an early reply.

Sincerely,

CHRISTOPHER H. SMITH  
Member of Congress



**JENNIFER COURTNEY**  
Staff Assistant

Congressman Christopher H. Smith  
4th District, New Jersey

Phone - (609)585-7878  
Fax - (609)585-9155

[jennifer.courtney@mail.house.gov](mailto:jennifer.courtney@mail.house.gov)

Mercer/Burlington  
Constituent Service Center  
1540 Kuser Road, Suite A9  
Hamilton, NJ 08619

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**CHRISTOPHER H. SMITH**  
4TH DISTRICT, NEW JERSEY

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**Congress of the United States**  
**House of Representatives**

September 2, 2009

Mrs. Veronica Karaska  
1425 11th Avenue  
Toms River, New Jersey 08757-2042

Dear Mrs. Karaska,

This is to acknowledge and thank you for your authorization to check into the problem you are having with your employer concerning the failure to deposit funds into your 401(k) plan that have been withheld from your paycheck.

As you requested, I have contacted the appropriate officials at the United States Department of Labor in your behalf. Be assured that I will be back in touch with you just as soon as I have received and reviewed their response to my inquiry.

Sincerely,

A handwritten signature in black ink that reads "Chris Smith".

CHRISTOPHER H. SMITH  
Member of Congress

CHS:jgc

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DEAN, NEW JERSEY DELEGATION





STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO  
ATTORNEY GENERAL

DIVISION OF CRIMINAL JUSTICE  
CRIMINAL PROSECUTIONS BUREAU

September 2, 2009

Veronica Lee Karaska  
1425 11<sup>th</sup> Avenue  
Toms River, NJ 08757

Dear Ms. Karaska:

We are writing to notify you that we are in receipt of the correspondence you wrote to the Attorney General. Thank you for your letter.

Unfortunately, in general, the law states that this Office does not have jurisdiction over most criminal matters. In addition, we are not permitted to provide legal advice to individuals. As a result, if you are writing about a criminal matter, we recommend that you contact your local District Attorney's Office. If you need legal advice, we recommend that you contact your county bar association for a referral to an attorney.

In any event, we will review your correspondence, and if we can assist you, we will contact you.

Once again, thank you for contacting our Office.

Sincerely,

The Criminal Prosecutions Bureau

cf # 09-06





STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL  
DIVISION OF CRIMINAL JUSTICE  
ORGANIZED CRIME TASK FORCE

ANDREW M. CUOMO  
Attorney General

ROBIN L. BAKER  
Executive Deputy Attorney General  
Division of Criminal Justice

September 9, 2009

Veronica Lee Karaska  
1425 11<sup>th</sup> Avenue  
Toms River, NJ 08757

Dear Ms. Karaska:

On behalf of Attorney General, Andrew M. Cuomo, I am writing to notify you that we have received and reviewed your recent correspondence. Thank you for taking the time to bring this matter to our attention.

The matter raised in your correspondence appears to be the concern of the Attorney General's bureau shown below, and we are forwarding your correspondence there. A representative of that bureau will contact you if they believe they can be of further assistance or need additional information. We rely upon the information provided by concerned citizens such as yourself to investigate and bring cases to ensure justice is done throughout the State of New York. Thank you again for the information you provided.

Please be advised that this office cannot provide legal opinions or represent individuals. If you believe you may have an individual claim, you may wish to consult a private attorney. Your local county bar association provides attorney referrals. The complaint you have filed with this office has no effect on any statute of limitation, filing deadlines or other deadline that might apply to your matter. By filing a complaint with this office, you have not initiated a lawsuit or proceeding, nor has this office initiated a lawsuit or proceeding on your behalf.

Very Truly Yours,

Assistant Deputy Attorney General

cc: Labor Bureau



CHRISTOPHER H. SMITH  
U.S. HOUSE OF REPRESENTATIVES  
ATLANTIC CITY, NEW JERSEY

RESTITUENT SERVICE CENTERS:  
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Congress of the United States  
House of Representatives

October 19, 2009

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Mrs. Veronica Karaska  
1425 11th Avenue  
Toms River, New Jersey 08757-2042

Dear Mrs. Karaska,

Although I have heard nothing further in response to my inquiries, I wanted to reassure you that I am doing everything I can and shall continue my efforts in your behalf.

As soon as I have any information to report, I will be back in touch with you. In the meantime, please let me know if there is anything else I can be doing for you, regarding this or any other matter.

Sincerely,

A handwritten signature in black ink that reads "Chris Smith".

CHRISTOPHER H. SMITH  
Member of Congress

CHS:jgc



## Veronica Karaska

**From:** Nichole Smith  
**Sent:** Wednesday, January 27, 2010 12:37 PM  
**To:** Jack Colbert  
**Cc:** Veronica Karaska; 'FisherJulie@dol.gov'  
**Subject:** RE:

Hi Jack,

I just tried to cash my replacement check at Citibank and was unsuccessful. I was advised by the teller that he would not honor this check. I asked if I should deposit into my own personal bank account and not be fearful of yet another overdraft charge and he could not confirm nor deny the check will be clear money. I have a mortgage payment due on Friday and it is imperative that the money is clear and will not cause my mortgage to be late since they will charge me an additional \$68.00 as well as the overdraft fee I have already eaten. I cannot express enough how bothersome this is to me. I am a working mother of three children with a mortgage as well as other debts to pay. I put my hours in to benefit your company with the expectation that I do not have to beg for my paycheck.

**From:** Jack Colbert  
**Sent:** Wednesday, January 27, 2010 11:12 AM  
**To:** Nichole Smith  
**Cc:** Dr. Marshall Koven; Dr. Sheldon Kaplan  
**Subject:** RE:

Yes, it is drawn on Citibank. There are NO replacement checks that have bounced, all issues with Citibank have been resolved.

**From:** Nichole Smith  
**Sent:** Wednesday, January 27, 2010 9:12 AM  
**To:** Jack Colbert  
**Cc:** Dr. Marshall Koven; Dr. Sheldon Kaplan  
**Subject:** RE:

Jack,

Are the new checks drawn from the same bank? People who received replacement checks have stated that they are bouncing as well. I need the money to be clear by Friday. I am not in a position right now that I can wait 10 days for the money to clear or for it to bounce. Can I please have the name of the bank the new check is written out of?

Thank you,  
Nichole

**From:** Jack Colbert  
**Sent:** Tuesday, January 26, 2010 2:59 PM  
**To:** Nichole Smith; Valerie Bhikoo  
**Cc:** Veronica Karaska; Jeanne Hennessey  
**Subject:** RE:

Nicole,

A replacement check has been cut and it is being sent to the site overnight mail so you will have it in the morning. Unfortunately we are unable to send a certified check, however this check will be honored by the bank.



Sincerely,

Jack Colbert

**From:** Nichole Smith

**Sent:** Tuesday, January 26, 2010 12:47 PM

**To:** Valerie Bhikoo

**Cc:** Jack Colbert; Veronica Karaska; Jeanne Hennessey

**Subject:**

To Whom It May Concern:

My name is Nichole Smith and I am one of the employees that have a payroll check that bounced. I know Ronnie has been emailing you in reference to this but at this time I need to ask that I get a certified check as I have my mortgage due by Friday. I have to ensure that the monies are clear before I make the payment. Please get back to me to verify this will be done.

Thank you ever so kindly,

Nichole Smith



UNITED STATES BANKRUPTCY COURT		PROOF OF CLAIM
Name of Debtor: <u>Sonyx Medical Resources</u>		Case Number: <u>09-77781</u>
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): <u>Veronica L Karaska</u>		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.
Name and address where notices should be sent: <u>1425 11th Ave Toms River, NJ 08757</u>		Court Claim Number: _____ (If known)
Telephone number: <u>732 505 9792</u>		Filed on: _____
Name and address where payment should be sent (if different from above): <u>Veronica L Karaska</u>		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <i>Check this box if you are the debtor in this case.</i>
1. Amount of Claim as of Date Case Filed: <u>\$ 217.75</u> <i>A credit balance</i>		2. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.
If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.		Specify the priority of the claim.
If all or part of your claim is entitled to priority, complete item 5.		<input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).
<input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		<input checked="" type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier – 11 U.S.C. §507 (a)(4).
2. Basis for Claim: <u>Withheld my work monies taken from my paycheck since 2005 never deposited into</u> (See instruction #2 on reverse side.)		<input checked="" type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. §507 (a)(5).
3. Last four digits of any number by which creditor identifies debtor: <u>5100</u>		<input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. §507 (a)(7).
3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.)		<input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. §507 (a)(8).
4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.		<input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. §507 (a)(____).
Nature of property or right of setoff: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input checked="" type="checkbox"/> Other Describe: _____		Amount entitled to priority: _____ <i>\$ _____</i>
Value of Property: <u>\$ 3217.75</u> Annual Interest Rate: <u>0%</u> <i>Depends on the market at the time the funds were not invested</i>		*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.
Amount of arrearage and other charges as of time case filed included in secured claim, if any: <u>\$ 400.00</u> Basis for perfection: <u>Add 1 life ins monies taken out of paycheck if not paid to</u>		
Amount of Secured Claim: <u>\$ 5100.00</u> Amount Unsecured: <u>\$ 0.00</u>		
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.		
7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.)		
DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.		
If the documents are not available, please explain:		
Date: <u>1/10/10</u>	Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.  <u>Veronica L Karaska</u>	FOR COURT USE ONLY
Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.		

Court  
Rec'd  
Claim#10

